

16152 U.S. PTO



PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. YOR920030365US1

First Inventor Steven J. MASTRIANNI

Title Autonomous Storage For...

Express Mail Label No. ER404321749US

10/736802
U.S. PTO

121603

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 25]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Sheets 9]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. Paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Express Mail Certificate.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.

Prior application information:

Examiner _____

Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number:			OR	<input checked="" type="checkbox"/> Correspondence address below	
Name	David Aker				
Address	23 Southern Road				
City	Hartsdale	State	New York	Zip Code	10530
Country	USA	Telephone	914 674-1094	Fax	914 674-1094
Name (Print/Type)	David Aker	Registration No. (Attorney/Agent)	29,277		
Signature				Date	December 16, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Certificate of Express Mailing 37 C.F.R. 1.10

I hereby certify that this correspondence

The U.S. patent application of Steven J. Mastrianni et al.
Entitled: AUTONOMOUS STORAGE FOR BACKUP, RESTORE, AND FILE
ACCESS

is being deposited with the United States Postal Service as express mail post office to addressee in a package addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 under express mail label number ER404321749US on December 16, 2003.

December 16, 2003
Date

David Ober
Name of Person Making Deposit

Docket No. YOR920030365US1

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,098)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Steven J. MASTRIANNI
Examiner Name	
Art Unit	
Attorney Docket No.	YOR920030365US1

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	50-0510
Deposit Account Name	IBM Research Division

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee	Fee Description	Fee Paid
1001	770	2001	385		770	Utility filing fee	
1002	340	2002	170			Design filing fee	
1003	530	2003	265			Plant filing fee	
1004	770	2004	385			Reissue filing fee	
1005	160	2005	80			Provisional filing fee	
SUBTOTAL (1)		(\$)		770			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	36	-20** = 16	x 18	= 288
Independent Claims	3	- 3** = 0	x	
Multiple Dependent				

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee Description
1202	18	2202	9		Claims in excess of 20
1201	66	2201	43		Independent claims in excess of 3
1203	290	2203	145		Multiple dependent claim, if not paid
1204	86	2204	43		** Reissue independent claims over original patent
1205	18	2205	9		** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		288	

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee	Fee Description	Fee Paid
1051	130	2051	65		Surcharge - late filing fee or oath		
1052	50	2052	25		Surcharge - late provisional filing fee or cover sheet		
1053	130	1053	130		Non-English specification		
1812	2,520	1812	2,520		For filing a request for ex parte reexamination		
1804	920*	1804	920*		Requesting publication of SIR prior to Examiner action		
1805	1,840*	1805	1,840*		Requesting publication of SIR after Examiner action		
1251	110	2251	55		Extension for reply within first month		
1252	420	2252	210		Extension for reply within second month		
1253	950	2253	475		Extension for reply within third month		
1254	1,480	2254	740		Extension for reply within fourth month		
1255	2,010	2255	1,005		Extension for reply within fifth month		
1401	330	2401	165		Notice of Appeal		
1402	330	2402	165		Filing a brief in support of an appeal		
1403	290	2403	145		Request for oral hearing		
1451	1,510	1451	1,510		Petition to institute a public use proceeding		
1452	110	2452	55		Petition to revive - unavoidable		
1453	1,330	2453	665		Petition to revive - unintentional		
1501	1,330	2501	665		Utility issue fee (or reissue)		
1502	480	2502	240		Design issue fee		
1503	640	2503	320		Plant issue fee		
1460	130	1460	130		Petitions to the Commissioner		
1807	50	1807	50		Processing fee under 37 CFR 1.17(q)		
1806	180	1806	180		Submission of Information Disclosure Stmt		
8021	40	8021	40		Recording each patent assignment per property (times number of properties)		40
1809	770	2809	385		Filing a submission after final rejection (37 CFR 1.129(a))		
1810	770	2810	385		For each additional invention to be examined (37 CFR 1.129(b))		
1801	770	2801	385		Request for Continued Examination (RCE)		
1802	900	1802	900		Request for expedited examination of a design application		

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	David Aker	Registration No. (Attorney/Agent)	29,277	Telephone	914 674-1094
Signature				Date	December 16, 2003

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